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8th Jany. 1780

Sir

this is my third letter to your Excellency on the subject of your state, I fear I shall be thought officious to impertinence as it has an appearence as that I imagined there was none in your state could see for themselves - you will pardon me Sir, when I tell you it is a matter which I conceive which must have a very considerable influence on every one of the United States of america and having had my mind much upon the subject of antient grants, in my controversy with Col: Dyer, I dick not know but I might suggest some sentiments, which by proper improvement and " might serve your interest and therefore again presume upon offering my thoughts a third time, being really provoked to it by the late Resolutions of Congress delivered with as haughty an air and fixed resolution to carry into execution whatsoever they might hereafter determine respecting you. to be short (as the messinger by whome I forward this to Hartford is waiting) my advice is this, that I never would submit the case to Congress to determine, or to appear before them, except to deny their jurisdiction in the case, as I see Connecticut, New-Hampshire, Massachusetts-Bay and New-York will be out of the Question, and the cause be finaly adjudged by Rhode Island and the southern States with whome New-York will have address enough to gain to their interest, and for that very reason I never would submit it — I found my opinion upon the followin facts, New-York first intend to claim by their title under the Duke of York - upon which I observe king James A.D. 1606. granted to the Plymouth company all the lands in North America lying between the 34th and 45th of North latitude which I cannot find they ever after relinquished again to the Crown — if so king Charles had nothing to grant to the Duke of York lying within them latitudes and if they pretend to hold it by virtue of their grant of jurisdiction obtained A.D. 1764 " by the prerogatiue of the Crown that is up - by his

granting it a second time to Govenor Sheene which I take to be an absolute fact and I do not, on further reflection think there is any necessity of refraining from speaking of it and am sorry I did insert in my letter to the President of Congress when writing on the subject on the other hand if the Plymouth company resign their grant to the Crown, New-York must be Lossed as the Charters of Connecticut and Massachusetts was prior to the grant to the Duke of York, it is in itself a nullity as King Charles had previously made them Charters to extend to the South sea as soon as New-York was recovered from the Dutch the Land immediately revert.d to Massachusetts and Connecticut by virtue of their Charters for I take it to be Law because it is reason— if I sell a piece of land to which I have no legal title and afterwards obtain a legal title, my first conveyance holds good to the garrantee— consequently I should hold my self an independent State as not included in either untill such times as they were willing to own you as such, and as the case may turn in the settlement of these our present troubles with Britain if Canada if left in their hands they will receive you with open arms I must not add only this much, if New-Hampshire did not purchase of the Plymouth company, your State is their property still. if they did not resign it into the crowns and if it was a prerogative of the Crown to grant to New-York, the jurisdiction in 1764, they lost it by his Commission to Gov.r Sheen. I do not chuse publickly to be known to have intermeddled in this affair, and if what I have written on the subject affords any useful hints it will give pleasure to

Sir your most obedient
most Humble servant —
Dr Gale

To his Excellency, Tho Chittenden Esq.